GLOUCESTER TOWNSHIP COUNCIL MEETING

July 11, 2016

PLEDGE ALLEGIANCE TO THE FLAG

INVOCATION: Pastor Brown

COMMENCEMENT STATEMENT: Mr. Mercado

ROLL CALL:

Mr. Hutchison
Mr. Schmidt
Mrs. Stubbs
Mrs. Winters
Mr. Mignone
Mrs. Trotto
Mr. Mercado

Mr. Carlamere, Solicitor

Mr. Cardis, Business Administrator
Mrs. DiJosie, Twp. Clerk, RMC

Mr. Lechner, Community Development
Chief Earle, Police

PUBLIC PORTION: Public participation shall be for agenda items only. Anyone addressing Council may speak one time. Once all those wishing to address Council have had their turns, they may address Council a second time, only if it adds to what was said earlier, not repeating earlier statements.

MINUTES: Waive the reading and accept the minutes of:
Regular Meeting – June 13 and June 27
Workshop: July 6, 2016

ORDINANCES: **SECOND READING AND PUBLIC HEARING**

O-16-11 ORDINANCE AMENDING CHAPTER 81 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

O-16-12 ORDINANCE AMENDING CHAPTER 53A OF THE CODE BOOK ENTITLED "FLOOD DAMAGE PREVENTION" OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, STATE OF NEW JERSEY

ORDINANCES: **FIRST READING (RE-INTRODUCED)**

O-16-08 ORDINANCE AMENDING CHAPTER 65A OF THE CODE BOOK OF THE TOWNSHIP OF GLOUCESTER ENTITLED "PARK RULES AND REGULATION" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

O-16-09 ORDINANCE AMENDING CHAPTER 70 OF THE CODE BOOK OF THE TOWNSHIP OF GLOUCESTER ENTITLED "SMOKING REGULATIONS"

RESOLUTIONS:
CONSENT AGENDA

R-16:07-208 RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

R-16:07-209 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE ARTIFICIAL TURF FIELDS PROJECT IN THE TOWNSHIP OF GLOUCESTER

R-16:07-210 RESOLUTION AUTHORIZING REFUNDING OF TAXES

R-16:07-211 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-16:07-212 RESOLUTION AUTHORIZING THE GRANTING OF A PERMIT TO THE UNITED STATED POLICE CANINE ASSOCIATION – REGION 15 FOR THE POSSESSION AND USE OF A FIREWORKS DISPLAY

R-16:07-213 RESOLUTION AUTHORIZING APPLICATION TO THE CAMDEN COUNTY OPEN SPACE HISTORIC PRESERVATION TRUST FUND FOR A GRANT FOR THE PURPOSE OF WINDOW REFURBISHMENT, PAINTING AND SPOT BRICK RE-POINTING OF THE BRICKWORK AT THE GABRIEL DAVEIS TAVERN

R-16:07-214 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL SERVICE AGREEMENT BY AND BETWEEN THE GLOUCESTER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND THE TOWNSHIP OF GLOUCESTER FOR THE USE OF AN EMERGENCY SERVICES CONTRACTOR

GT E-GOV ACCESS

PUBLIC PORTION: Public participation, which shall be any item the public chooses to address to the Township Council. Anyone addressing Council may speak one time. Once all those wishing to address Council have had their turns, they may address Council a second time, only if it adds to what was said earlier, not repeating earlier statements.

POLLING OF DIRECTORS

POLLING OF COUNCIL

(If needed)
RESOLUTION TO EXCLUDE THE PUBLIC FROM DISCUSSION OF EXEMPTED SUBJECT MATTER AT A REGULAR OR SPECIAL SESSION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER PURSUANT TO N.J.S.A. 10:4-6 ET SEQ. OF THE OPEN PUBLIC MEETINGS ACT

ADJOURNMENT

O-16-11

ORDINANCE AMENDING CHAPTER 81 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 81 of the Code of the Township of Gloucester be and is hereby amended as follows:

SECTION 1. That Section 81-35B "Regulation for the Movement and the Parking of Traffic on Private Property Open to the Public to Which the Public is Invited (Retail Business)" be and is hereby amended to read as follows:

1. The penalty for a violation and conviction of this section shall be not less than fifty dollars ($50.) nor more than one thousand dollars ($1000.), subject to towing of vehicle at the owner's expense and/or imprisonment in the county jail for a term not to exceed ninety (90) days, or by a period of community service not to exceed ninety (90) days.

Property:

COMMERCE SQUARE III
Blackwood-Clementon Road (C.R. 534)

Regulations:

1. General Parking:

A. All vehicles must park in designated areas and between the lines provided.

B. Parking of vehicles, trailers, buses and recreational vehicles over three Tons Gross Vehicle Weight (GVW) is prohibited between the hours of 9:00PM and 6:00AM. Violators are subject to fine up $1,000.00, subject to towing at owner's expense and/or subject to towing of vehicle at the owner's expense and/or imprisonment in the county jail for a term not to exceed ninety (90) days, or by a period of community service not to exceed ninety (90) days.

SECTION 2. All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 4. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced:
Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

O-16-12

ORDINANCE AMENDING CHAPTER 53A OF THE CODE BOOK ENTITLED "FLOOD DAMAGE PREVENTION" OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 53A "Flood Damage Prevention" of the Code Book of the Township of Gloucester be and is hereby amended as follows:

SECTION 1.

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1,et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Township Council of the Township of Gloucester of Camden County, New Jersey does ordain as follows:

1.2 FINDINGS OF FACT

a) The flood hazard areas of the Township of Gloucester are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

a) Protect human life and health;

b) Minimize expenditure of public money for costly flood control projects;

c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

d) Minimize prolonged business interruptions;

e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;

f) Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;

g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and

h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;

c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,

e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 2.0

DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

AO Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

AH Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

Appeal — A request for a review of the Construction Code Official's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding — A designated AO or AH zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard —Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

Base Flood —A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) – The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. For zones VE and V1-30 the elevation represents the still water elevation (SWEL) plus wave effect (BFE = SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Basement — Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Development — Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Digital Flood Insurance Rate Map (DFIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Elevated Building — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor or, in the case of a building in a Coastal A Zone, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of Coastal A Zones "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

Erosion — The process of the gradual wearing away of land masses.

Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

a) The overflow of inland or tidal waters and/or

b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure — Any structure that is:

a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or

d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved State program as determined by the Secretary of the Interior; or

(2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor — The lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

Manufactured Home — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or

after the effective date of the floodplain management regulations adopted by the municipality.

Recreational Vehicle — A vehicle which is [i.] built on a single chassis; [ii.] 400 square feet or less when measured at the longest horizontal projections; [iii.] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand Dunes — Naturally occurring or man-made accumulations of sand in ridges or mounds landward of the beach.

Start of Construction — For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

Substantial Damage — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the

structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

Violation — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

SECTION 3.0

GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Gloucester, Camden County, New Jersey.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Township of Gloucester, Community No. 340133D, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

a) A scientific and engineering report "Flood Insurance Study, Camden County, New Jersey (All Jurisdictions)" dated August 17, 2016.

b) "Flood Insurance Rate Map for Camden County, New Jersey (All Jurisdictions)" as shown on Index and panel(s) 34007C0102F, 34007C0104F, 34007C0106E, 34007C0108E, 34007C0109F, 34007C0112F, 34007C0114E, 34007C0116E,

34007C0117F, 34007C0118E, 34007C0119E, 34007C0138E, 34007C0139E, 34007C0182E, 34007C0201E , whose effective date was August 17, 2016.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at 1261 Chews Landing Road, Blackwood, New Jersey.

3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $500.00 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Gloucester, from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

a) Considered as minimum requirements;

b) Liberally construed in favor of the governing body; and,

c) Deemed neither to limit nor repeal any other powers granted under State statutes.

3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or

natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Township of Gloucester, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 4.0

ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Code Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;

b) Elevation in relation to mean sea level to which any structure has been flood proofed.

c) Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in section 5.2-2; and,

d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Construction Code Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Construction Code Official shall include, but not be limited to:

4.3-1 PERMIT REVIEW

a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.

b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.

c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 5.3 a) are met.

d) Review plans for walls to be used to enclose space below the base flood level in accordance with section 5.4-2 d).

4.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Code Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

b) For all new or substantially improved flood proofed structures:

   i. verify and record the actual elevation (in relation to mean sea level); and

   ii. maintain the flood proofing certifications required in section 4.1 c).

c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3-4 ALTERATION OF WATERCOURSES

a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section and the Land Use Regulation

Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

4.3-5 SUBSTANTIAL DAMAGE REVIEW

a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.

b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section.

c) Ensure substantial improvements meet the requirements of sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

4.3-6 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 4.4.

4.4 VARIANCE PROCEDURE

4.4-1 APPEAL BOARD

a) The Zoning Board of Adjustment as established by Gloucester Township Council shall hear and decide appeals and requests for variances from the requirements of this ordinance.

b) The Zoning Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Code Official in the enforcement or administration of this ordinance.

c) Those aggrieved by the decision of the Zoning Board of Adjustment, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided in N.J.S.A. 40:55D-et seq.

d) In passing upon such applications, the Zoning Board of Adjustment, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:

i. the danger that materials may be swept onto other lands to the injury of others;

ii. the danger to life and property due to flooding or erosion damage;

iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

iv. the importance of the services provided by the proposed facility to the community;

v. the necessity to the facility of a waterfront location, where applicable;

vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

vii. the compatibility of the proposed use with existing and anticipated development;

viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;

ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;

x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,

xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

e) Upon consideration of the factors of section 4.4-1 d) and the purposes of this ordinance, the Zoning Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

f) The Construction Code Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

4.4-2 CONDITIONS FOR VARIANCES

a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 4.4-1 d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

e) Variances shall only be issued upon:

   i. A showing of good and sufficient cause;

   ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,

   iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 4.4- 1 d), or conflict with existing local laws or ordinances.

f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 5.0

PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

5.1-1 ANCHORING

a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

5.1-2 CONSTRUCTION MATERIALS AND METHODS

a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.1-3 UTILITIES

a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;

c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and

d) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1-4 SUBDIVISION PROPOSALS

a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;

b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

c) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

d) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,

e) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

5.1-5 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 4.3-2, USE OF OTHER BASE FLOOD DATA, the following standards are required:

5.2-1 RESIDENTIAL CONSTRUCTION

a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the

attendant utilities and sanitary facilities, elevated at or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive;

b) Require within any AO or AH zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

5.2-2 NONRESIDENTIAL CONSTRUCTION

a) In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities:

either

a) Elevated to or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive; and

b) Require within any AO or AH zone on the municipality's DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

c) Be flood proofed so that below the base flood level plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, whichever is more restrictive, the structure is watertight with walls substantially impermeable to the passage of water;

d) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

e) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for

meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 4.3-3 b) ii.

5.2-3 MANUFACTURED HOMES

a) Manufactured homes shall be anchored in accordance with section 5.1-1 b)All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:

   i. Be consistent with the need to minimize flood damage,

   ii. Be constructed to minimize flood damage,

   iii. Have adequate drainage provided to reduce exposure to flood damage; and,

   iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive

5.3 FLOODWAYS

Located within areas of special flood hazard established in section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.

b) If section 5.3 a) is satisfied, all new construction and substantial improvements must comply with section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.

c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

SECTION 6. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid by judgement of any court of competent jurisdiction, such section,

subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 7. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: June 27, 2016

Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

O-16-08

ORDINANCE AMENDING CHAPTER 65A OF THE CODE BOOK OF THE TOWNSHIP OF GLOUCESTER ENTITLED "PARK RULES AND REGULATION" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 65A known as the "Park Rules and Regulations" of the Township of Gloucester be and is hereby amended as follows:

SECTION 1. That Chapter 65A, known as "Park Rules and Regulations" be and is hereby amended to include the following:

§65A-3. Group use, meeting, exhibitions, ball games and team practices

"A. Remove entire section

"B. Remove the letter "B"

"C. Remove the letter "C" and is hereby amended as follows:

No person shall call or hold any organized public meeting or event, or give any concert or organized public entertainment of any kind within a Township Park or recreation area without first having obtained written permission from the Division of Recreation at least fifteen (15) days before the proposed date of use.

No person shall use loudspeakers, public address systems or amplifiers within a Township park or recreation area without first having obtained written permission from the Division of Recreation at least fifteen (15) days before the proposed date of use.

§65A-4. Pets , Horses, etc.

"A. Dogs, horses, animals or pets, domestic or wild, except service animals are not permitted within any Township park or recreation area at any time either on a leash or at large except in designated and defined areas.

§65A-7. Fires and fireworks.

"A. No person shall build, light or maintain an open fire within a Township park or recreation area except in a permanent grill installed, maintained or designated for that purpose by the Township. Portable grills and camp stoves are prohibited except for special events with permit issued by the Division of Recreation.

§65A-9. Restricted uses and areas.

"A. No person shall enter upon any portion of a Township park or recreation area after sunset, except as may be posted at park or recreation area entrances and except for special events approved by the Division of Recreation.

§65A-10. Vehicles, parking.

"A. No person shall use any portion of a Township park or recreation area for the purpose of a way, except driveway, parking areas, roadways, paths, walks, trails and footpaths established for pedestrian travel by the Township Council. No person shall use any pedestrian path, walks, trails, or footpaths for vehicular travel. The use of bicycles, mopeds, motorcycles and hover boards will be limited to roadways, drives and parking areas as established and open to all other vehicular traffic, within any Township park or recreation area, as may be posted and designated. Mini-bikes, go-carts and any unlicensed vehicles are prohibited from any Township park or recreation area. Bicycles, mopeds, motorcycles and hover boards cannot be driven on any park or recreation area except as herein and above stated, except, motor powered handicap chairs and authorized police patrol/emergency motor powered vehicles. However, bicycles specifically know as foot driven pedal bikes are permitted within designated paths and trails of the Hickstown Park only, located on Hickstown Road.

"D. No person shall park or store any motor car, motorcycle, moped, minibike, bicycle, wagon or other vehicle within a Township park or recreation area, except in areas designated and posted for such purposes.

Parking after park hours and overnight parking for all vehicles is prohibited except for special events or by special permission by the Division of Recreation. Loitering in or around parked vehicles is not permitted unless special permission has been granted by the Division of Recreation.

§65A-11. Hours of Operation.

"A. The hours of operation of all Township parks and recreation areas are 8:00 A.M. to Sunset, except as may be posted and listed below.

1. The hours of operation of Veterans Park are 6:00 A.M. to 10:00 P.M.

2. The hours of operation of Gloucester Township Community Park are 6:00 A.M. to 10:00 P.M.

3. All other parks are 8:00 A.M. to Sunset.

SECTION 2. All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 4. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: May 23, 2016
Tabled: June 27, 2016
Re-Introduced as amended: July 11, 2016
Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

O-16-09

ORDINANCE AMENDING CHAPTER 70 OF THE CODE BOOK OF THE TOWNSHIP OF GLOUCESTER ENTITLED "SMOKING REGULATIONS"

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 70 known as the "Smoking Regulations" of the Township of Gloucester be and is hereby amended as follows:

SECTION 1. That Chapter 70, known as "Smoking Regulations" be and is hereby amended to include the following:

§70.2. Definitions

To smoke shall mean the burning of, inhaling from, exhaling the smoke from or the possession of a lighted cigar, cigarette, pipe, electronic smoking device, or other paraphernalia that can be used to consume tobacco products or a tobacco like substance. Tobacco products encompasses all smokeless tobacco, including, but not limited to, chewing tobacco; loose leaf tobacco; tobacco pellets; plug tobacco; twist or rope tobacco; dipping tobacco and dissolvable tobacco.

§70.3. Prohibited Acts

Smoking is prohibited within the boundary of Township owned land, or any property which is owned, maintained or in the possession of the Township of Gloucester, including but not limited to all municipal buildings, grounds, parks, playgrounds, active and passive recreational facilities, the Municipal Complex, Department of Public Works, Hider Lane Senior Center, Recreation Building, Public Library, Point Erial Park, Gabriel Davis Tavern.

§70.4. Other Prohibited Acts

No officer, employee, agent or other person shall smoke in any municipal vehicle. Smoking is prohibited at any time on municipal buses.

§70.6. Violations, Penalties, and Disciplinary Action

A. Any person found to be in violation of this section shall be issued a summons and shall be subject to the following penalties:

1. First Offense - A fine of not less than $ 100.00 and not to exceed $ 150.00.

2. Second Offense - A fine of not less than $ 150.00 and not to exceed $250.00.

3. Subsequent offenses - A fine of not less than $300.00 and not to exceed $500.00.

4. In addition to the above penalties, any person found to be in violation of this section shall also be responsible for all costs of prosecution.

§70.8. Enforcement

A. This ordinance shall be enforced by the Code Enforcement Department.

SECTION 2. All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 4. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: May 23, 2016
Tabled: June 27, 2016
Re-Introduced as amended: July 11, 2016
Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

R-16:07-208

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED BY THE Township Council of the Township of Gloucester, in the County of Camden, that the following bills are approved by the Township Council in accordance with the provisions of Ordinance 0-82-16 and certified by the Chief Financial Officer that the claims are proper obligation of the township, that adequate funds are available to honor these claims in the account indicated and the claim should be paid:

CURRENT ACCOUNT Per attached computer readout of the claims presented in the amount of	$ 277,624.79
CAPITAL ACCOUNT Per attached computer read out of the claims presented in the amount of	$ 526,579.68
DEVELOPERS ESCROW Per attached computer readout of the claims presented in the amount of	$ 176.00
TRUST Per attached computer readout of the claims presented in the amount of	$ 39,704.47
ANIMAL TRUST Per attached computer readout of the claims presented in the amount of	$ 176.00
MANUAL CHECKS Per attached computer readout of the claims presented in the amount of	$ 233,433.81

Adopted: JULY 11, 2016

PRESIDENT COUNCIL

ATTEST:

TOWNSHIP CLERK

R-16:07-209

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE ARTIFICIAL TURF FIELDS PROJECT IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the Artificial Turf Fields Project in the Township of Gloucester,

WHEREAS, Change Order No. 1 was developed to itemize and authorize those changes;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that Change Order No. 1 is hereby authorized and approval is hereby granted to revise the contract cost from $1,285,945.00 to $1,286,235.42.

Adopted: July 11, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

THE PETTIT GROUP, LLC
Engineering • Architecture • Planning

July 1, 2016

Ms. Christy Ehret
Township of Gloucester
1261 Chews Landing-Clementon Road
P.O. Box 8
Blackwood, NJ 08012

RE: Contract Change Order #1
Artificial Turf Fields Project
Township of Gloucester, Camden County, NJ
PGLLC #GT2015-1

Dear Christy:

Enclosed please find three (3) original copies of Contract Change Order #1 for the abovementioned project which have been signed by both our office and the Contractor. For reference, the work associated with Change Order #1 includes the following:

BASE BID: Construction of Artificial Turf Fields for Community Park Fields A & B

1. Replace Existing Inlet Frame and Grate – Delete 6 Units **(Credit $5,250)**

   Six (6) of the existing inlets were found to be stormwater compliant.

2. Relocate Electric Facilities – Delete 1 Unit **(Credit $13,000)**

   Upon excavation, it was found that a slight modification in the location of the field limits would avoid an anticipated conflict with existing electric facilities.

ALT BID #1: Construction of Artificial Turf Fields at the Valleybrook Field Complex

1. ADA Accessible Improvements, including Dugout upgrades – Lump Sum **(Add $18,520)**

   Work included ADA Accessible sidewalk from Concession Area to dugouts, enlarge dugout pads and fencing for ADA Compliance, modify benches for ADA Compliance, Addition of two 8' high chain link gates, increase fence size from 6 foot tall to 8 foot tall, and Contractor's costs for additional stake out and coordination with subcontractors, including re-mobilization of forces. (*Backup information, i.e. subcontractor costs, has been enclosed for reference*)

2. Pitcher's Mound and Home Plate, including foundation systems – Lump Sum **(Add $2,520)**

   Contractor was directed to install and anchor pitcher's mound and home plate which were not in original contract.

3. Install 74 LF 8' Chain Link Fence in lieu of 80 LF of 6' Chain Link Fence – Lump Sum **(Add $5,134.42)**

   Fence Height was increased from 6' tall to 8' tall to ensure top fence rail is out of line of sight. (*Backup information, i.e. subcontractor costs, has been enclosed for reference*)

4. Chain Link Fence 6' High – Delete 80 LF **(Credit $4,000)**

   This bid item is eliminated in lieu of Item #3, above.

ALT BID #2: Construction of Artificial Turf Field for Community Park Field I

1. Supply and Install Lacrosse Goals – Lump Sum **(Add $3,752)**

   Subsequent to accepting bids, the field was revised from a soccer field to a Field Hockey-Lacrosse Field.

2. Supply and Install Field Goals w/ Mobility Kit – Lump Sum **(Add $8,330)**

   Subsequent to accepting bids, the field was revised from a soccer field to a Field Hockey-Lacrosse Field.

3. Conduit & Junction Boxes for Future Field Lighting – Lump Sum **(Add $8,784)**

   This work was performed to accommodate the potential installation of permanent field lighting in the future.

4. Replace Existing Inlet Frame and Grate – Delete 4 Units **(Credit $5,200)**

   The existing inlets were found to be stormwater compliant.

5. 8'x24' Removable Soccer Goal, Complete – Delete 1 Unit **(Credit $6,700)**

   Subsequent to accepting bids, the field was revised from a soccer field to a Field Hockey-Lacrosse Field.

6. 8.5'x16.5' Removable Soccer Goal, Complete – Delete 2 Units **(Credit $12,600)**

   Subsequent to accepting bids, the field was revised from a soccer field to a Field Hockey-Lacrosse Field.

Based upon review of the Contract plans and specifications, our office has no objection to the Scope and Fee for the abovementioned Change Orders and hereby recommends that the Township authorize and execute Contract Change Order #1.

It should be noted that the approval of Contract Change Order #1 will result in an overall increase of **$290.42** (or 0.02%) from the original Contract Amount of $1,285,945.00, for a Final Projected Contract amount of **$1,286,235.42**.

Pursuant to the above and provided that the Township concurs with our recommendation, we ask that the necessary arrangements be made with the Township Business Administrator to sign all three (3) of the enclosed original Contract Change Order #1 Documents. Upon signature, we kindly ask that you return two (2) originals to this office, both for our files and for submission to

the Contractor. We ask that you retain the remaining signed copy of the Contract Change Order #1 for your files.

By copy of this letter, we kindly request that the Borough Solicitor prepare the necessary Resolution authorizing the approval and execution of Contract Change Order #1, for the next available regularly scheduled council meeting.

Should you have any questions regarding the information provided, please feel free to contact me at the office (856) 464-9600 or on my cell at (267) 972-6317.

Sincerely,
THE PETTIT GROUP, LLC

David Kreck, PE, CME
Associate

Enclosures
Cc: John Pettit, PE, PP, CME
Mr. Thomas Cardis, Business Administrator
Ms. Rosemarie DiJosie, Township Clerk
Dave Carlamere Esq., Township Solicitor (w/ enclosure)
Jeff Long, The LandTek Group, Inc. (w/ enclosure)

R-16:07-210

RESOLUTION AUTHORIZING REFUNDING OF TAXES

BE IT RESOLVED by the Township Council of the Township of Gloucester to authorize the refunding of the following credit balances:

BLOCK	LOT	NAME AND ADDRESS	YEAR	AMOUNT	REASON
11507	12	Corelogic Tax Service P.O. Box 961230 Fort Worth, TX 76161-0230 Attn: BAC-29929	2016	$2,497.72	Overpayment

ADOPTED: July 11, 2016

_____
Council President

_____
Township Clerk

R-16:07-211

RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following refunds be and are hereby authorized:

#2622-051032PAHSEIV-INF
Towns Square Plaza-Informal Review
Newman Gloucester Associates
3101 Shippers Road
P.O. Box 6
Vestal, NY 13851-0678
Balance from unexpended escrow: $860.00

Adopted: June 27, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

Interoffice
Memorandum

To: Township Council
From: Linda Clark
Date: June 20, 2016
Subject: Refund of Escrow Fees

Newman Gloucester Assoc., requested to be refunded the remainder of their unexpended escrow. As a result please release their escrow in the amount of $860.00. Thank You

#2622-051032PAHSEIV-INF
Towns Square Plaza-Informal Review
Newman Gloucester Associates
3101 Shippers Road
P.O. Box 6
Vestal, NY 13851-0678
Balance from unexpended escrow: $860.00

R-16:07-212

RESOLUTION AUTHORIZING THE GRANTING OF A PERMIT TO THE UNITED STATES POLICE CANINE ASSOCIATION – REGION 15 FOR THE POSSESSION AND USE OF A FIREWORKS DISPLAY

WHEREAS, the United States Police Canine Association – Region 15 requests a permit be issued for the possession and display or fireworks; and

WHEREAS, pursuant to N.J.A.C. 5:70-2.7, the governing body of the Township of Gloucester must grant permission by Resolution authorizing such fireworks display before said permit may be issued; and

WHEREAS, proof of proper insurance coverage has been provided to the Township of Gloucester.

NOW, THEREFORE IT IS HEREIN RESOLVED, that the possession and use of fireworks on September 29th is hereby granted to the United States Police Canine Association – Region 15 and the appropriate Fire Official is hereby authorized to issue the proper permit.

Adopted: July 11, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

R-16:07-213

RESOLUTION AUTHORIZING APPLICATION TO THE CAMDEN COUNTY OPEN SPACE HISTORIC PRESERVATION TRUST FUND FOR A GRANT FOR THE PURPOSE OF WINDOW REFURBISHMENT, PAINTING AND SPOT BRICK RE-POINTING OF THE BRICKWORK ON THE GABRIEL DAVEIS TAVERN HOUSE

WHEREAS, the Camden County Open Space Historic Preservation Trust Fund has made available to the municipalities of Camden County, a grant for Historic Preservation in the amount of up to $50,000; and

WHEREAS, the Township of Gloucester is desirous of making improvements to the Gabreil Daveis Tavern by removing the inappropriate bathroom addition;

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute an application to the Camden County Open Space Historic Preservation Trust Fund for grant funds in the amount of $50,000 for window refurbishment, painting and spot brick re-pointing of the brickwork at the Gabriel Daveis Tavern House.

Adopted: July 11, 2016

_____
President of Council

ATTEST:

_____
Township Clerk, RMC

R-16:07-214

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL SERVICE AGREEMENT BY AND BETWEEN THE GLOUCESTER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND THE TOWNSHIP OF GLOUCESTER FOR THE USE OF AN EMERGENCY SERVICES CONTRACTOR

WHEREAS, Township of Gloucester ("GT") and the Gloucester Township Municipal Utilities Authority ("GTMUA") have determined that the use of GTMUA's "EMERGENCY SERVICES CONTRACT with R.D. ZEULI, INC.", awarded pursuant to GTMUA Resolution R-07-14-76, on July 17, 2014, with an extension pursuant to GTMUA Resolution R-05-15-44 on May 21, 2015, with a second extension awarded pursuant to GTMUA Resolution R-05-16-57 on May 19, 2016 and the parties have determined that such an Agreement will be beneficial and cost effective to Gloucester Township and it's taxpayers; and

WHEREAS, GT and GTMUA intend, by virtue of an Interlocal Services Agreement to set forth the terms and conditions of said Agreement; and

WHEREAS, GTMUA has agreed to assume lead agency responsibilities; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. encourages and promotes local units working together in an effort to save taxpayer dollars and promote government efficiencies; and

WHEREAS, Township Council desires to authorize the execution of an Inter-Municipal Service Agreement in the form attached hereto and made a part hereof, the form of which has been reviewed and approved by the Business Administrator and Solicitor for the Township of Gloucester.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester as follows:

1. The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereof.

2. The Mayor and or Business Administrator of the Township of Gloucester are hereby authorized to execute the subject Inter-Municipal Service Agreement in a form approved by the Township Business Administrator and Township Solicitor.

Adopted: July 11, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF GLOUCESTER TO ALLOW THE USE OF ITS EMERGENCY SERVICES CONTRACTOR AGREEMENT THROUGH JULY 1, 2017

THIS AGREEMENT made this _____ day of _____, 2016 shall be between the **TOWNSHIP OF GLOUCESTER** (hereinafter "GT"), having its principal place of business located at P.O. Box 8, Blackwood, NJ 08012, and **GLOUCESTER TOWNSHIP MUNICIPAL UTILITIES AUTHORITY** (hereinafter "GTMUA"), located at 401 W. Landing Road, Blackwood, NJ 08012.

RECITALS:

WHEREAS, GT and GTMUA have determined that the use of GTMUA's "EMERGENCY SERVICES CONTRACT, with R.D. ZEULI, INC.", will be beneficial and cost effective to GT; and

WHEREAS, GT and GTMUA intend, by virtue of this document, to set forth the terms and conditions of this Agreement; and

WHEREAS, GTMUA has agreed to assume lead agency responsibilities; and

WHEREAS, the Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq. encourages and promotes local units working together in an effort to save taxpayer dollars and promote government efficiencies; and

WHEREAS, the proper and respective municipal officials were authorized to execute this Shared Services Agreement pursuant to Resolutions of their respective Councils attached hereto and made part of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties hereto agree as follows:

1. Term. This Agreement shall be for a period commencing July 1, 2016 and ending on July 1, 2017. In addition, the Agreement shall be cancellable at the end of the calendar year upon thirty (30) days written notice by any party to this Agreement.

2. Scope of Work. GT agrees to extend to GTMUA all rights and privileges provided under the terms of agreement for the contract titled "The R.D. ZEULI, INC., EMERGENCY SERVICES CONTRACT".

3. Payment. Payment will be made from GT directly to GTMUA for said services rendered. Payments shall be in accordance with GTMUA's contracted fee schedule.

4. Contact Person. GTMUA agrees to appoint a person to act as a liaison to serve as the Contact Person (hereinafter referred to as the "Contact Person") in order to support and facilitate the orderly and efficient distribution of work requests.

5. Indemnification. Each party shall be responsible for and agrees to indemnify and hold the other party harmless from and against all third-party claims, demands and causes of action for direct damages (including reasonable legal fees) for personal injuries or damage to tangible property to the extent directly resulting from the willful misconduct or negligent acts or omissions of the indemnifying party, its officers, agents or employees. GTMUA shall include in its contracts with outside vendors providing goods or services to GT pursuant to this Agreement a provision that any such contractor or supplier providing goods or services hereunder shall agree to indemnify, defend and hold harmless GT from and against all third-party claims, demands and causes of action for direct damages (including reasonable legal fees) for personal injuries or damage to tangible property resulting from the willful misconduct or negligent acts or omissions of the contractor or suppler, its officers, agents, employees or subcontractors. The party seeking indemnification agrees to notify the other party as soon as practical of any third-party claim, demand or cause of action for which it will request indemnification. The indemnitee will provide indemnitor with the necessary information and assistance to defend such claim, demand or cause of action.

6. Agreements. This contract, including any attachment to it and documents therein included by reference, sets forth the entire understanding and agreement between GTMUA and GT.

7. Law. This contract is made under and shall be governed by the laws of the State of New Jersey.

8. Agency. Except as provided otherwise herein, neither party shall act as the agent of the other and neither shall have the ability to bind the other without express written permission duly authorized by the appropriate governing body.

9. Notices. All notices hereunder shall be in writing and sent certified mail, return receipt requested, for GTMUA to:

Marlene Hrynio, Administrative Secretary
Gloucester Township Municipal Utilities Authority
401 W. Landing Road
Blackwood, NJ 08012

As to GT:

Tom Cardis
Township of Gloucester, Business Administrator
P.O. Box 8
Blackwood, NJ 08012

10. Miscellaneous:

a. Shared Services

It is the intent of the parties that this Agreement be a Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 et seq.

b. Amendments

This Agreement may not be amended, altered or modified in any manner, except in writing signed by the parties.

c. Headings

This section and any other headings contained in this Agreement are for reference only and shall not affect the meaning and interpretation of this contract.

d. Invalid Clause

The invalidity of any clause contained herein shall not render any other provision invalid and the balance of this Agreement shall be binding upon all parties hereto.

e. Entire Agreement

This Agreement shall consist of the entire agreement of the parties and it is acknowledged that there are no side or oral Agreements relating to this undertaking set forth herein.

f. Assignability

This Agreement and all rights, duties and obligations contained herein may not be assigned without GTMUA's prior written permission.

g. Affirmative Action

The affirmative action provisions applicable to each public agency are incorporated herein and made part hereof.

h. Waiver

It is understood and agreed by the parties that a failure or delay in the enforcement of any of the provisions of this Agreement by either of the parties shall not be construed as a waiver of those provisions.

IN WITNESS WHEREOF, the parties have executed this contract on the last date written below.

GLOUCESTER TOWNSHIP

By:_____

Name: _____

Title: _____

Date: _____

ATTEST:

_____

GTMUA

By:

Name: Richard P. Calabrese

Title: Chairman

Date: June 21, 2016

ATTEST: